

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5936 OF 2005**

Sagar Jalandhar Pradhan ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri Sanjay Bhatia for the Applicant.
Shri A.S. Gadkari, A.P.P. for the Respondent.

**CORAM : A. S. OKA, J.
DATE : OCTOBER 21, 2005.**

P.C.:

1. Heard the Advocate appearing for the Applicant. The offence is under sections 302, 397, 452 of the Indian Penal Code. The Applicant was working as a watchman in the building in which the deceased-housewife was staying. The allegation of the prosecution is that the deceased was brutally murdered. The allegation is that she suffered eight stab injuries on various parts of the body.

2. The learned Advocate for the Applicant submitted that there is a delay in filing F.I.R. and there is no direct evidence against the Applicant. He submitted that the evidence of recovery is completely fabricated. He submitted that in absence of any direct evidence on the record, the Applicant is entitled to be enlarged on bail. With the assistance of the learned A.P.P., I have perused the material

collected during the investigation.

3. There is evidence of recovery of weapon which was concealed in a store-room of the said building. The report of the Chemical Analyser shows that weapon which is a knife is having bloodstains of blood group 'B' which is the blood group of the deceased. There is other evidence in the form of recovery of blood stained clothes at the instance of the co-accused. There is other circumstantial evidence on record to show the complicity of the Applicant at this stage. There is no reason to take a view which is different from the view taken by the learned Sessions Judge. No case is made out for grant of Anticipatory Bail. Application is rejected.

JUDGE